

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

**IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION**

**THIS DOCUMENT RELATES TO:**

*State of Minnesota v. Pharmacia Corporation,*  
Civil Action No. 02-10069-PBS

*State of Nevada v. Abbott Laboratories, Inc., et*  
*al.,* Civil Action No. 02-12085-PBS

**MDL NO. 1456**

**CIVIL ACTION: 01-CV-12257-PBS**

**Judge Patti B. Saris**

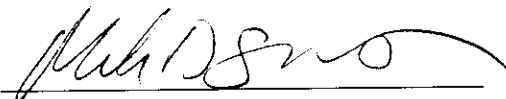
FILED  
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2003 JUN 30 4:40  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

PHARMACIA CORPORATION AND SMITHKLINE BEECHAM CORPORATION  
D/B/A GLAXOSMITHKLINE'S MOTION FOR LEAVE TO FILE A REPLY BRIEF  
TO MINNESOTA AND NEVADA'S OPPOSITIONS

Defendants Pharmacia Corporation and SmithKline Beecham Corporation d/b/a GlaxoSmithKline move for leave to file a reply brief to: (1) the State of Minnesota's Memorandum in Opposition to Defendant's Motion for Reconsideration, or in the Alternative, for Certification of an Interlocutory Appeal and (2) State of Nevada's Opposition to Defendants' Motion for Reconsideration or in the alternative for Certification of an Interlocutory Appeal. In support of this request, Pharmacia Corporation and SmithKline Beecham state that they believe that a reply is necessary to address the arguments advanced by Minnesota and Nevada in their oppositions.

WHEREFORE, Defendants Pharmacia Corporation and SmithKline Beecham Corporation d/b/a GlaxoSmithKline respectfully request that the Court grant leave for it to file a reply brief in response to Minnesota and Nevada's oppositions, which is being filed herewith.

Respectfully submitted,

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Dated: June 30, 2003

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Dated: June 30, 2003

*Attorneys for Defendant GSK*

**CERTIFICATE OF SERVICE**

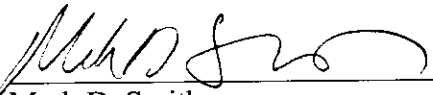
I hereby certify that on June 30, 2003, I caused a true and correct copy of the  
aforementioned Pharmacia Corporation and SmithKline Beecham Corporation d/b/a  
GlaxoSmithKline's Motion for Leave to File a Reply Brief to be served on all counsel of  
record by electronic service pursuant to Case Management Order No. 2 entered by the  
Honorable Patti B. Saris in MDL 1456.



Mark D. Smith

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Undersigned counsel hereby certifies that on June 30, 2003 counsel for defendants attempted to contact counsel for the States of Minnesota and Nevada, by leaving telephone messages for them, but were unsuccessful in reaching them. As a result the parties to this motion were unable resolve or narrow the issues raised in the aforementioned Motion for Leave to File a Reply Brief.

  
\_\_\_\_\_  
Mark D. Smith

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June 30, 2003

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DISTRICT OF MASS.

**VIA HAND DELIVERY**

Civil Clerk  
Suite 2300  
United States District Court  
1 Courthouse Way  
Boston, MA 02210

Re: In Re: Pharmaceutical Industry Average Wholesale Price Litigation  
Civil Action Case No. 01-12257 PBS; MDL No. 1456

Dear Sir or Madam:

Enclosed for filing please find the following documents:

1. Pharmacia Corporation and Smithkline Beecham Corporation d/b/a Glaxosmithkline's Motion for Leave to File a Reply Memorandum;
2. Reply Memorandum in Further Support of Motion for Reconsideration or, in the Alternative, for Certification of an Interlocutory Appeal;
3. Certification of Compliance with Local Rule 7.1.; and
4. Certificate of Service.

Please date stamp the enclosed copy of this letter and return it to the messenger.

Please call me if you have any questions.

Very truly yours,

  
Mark D. Smith

MDS/nc  
Enclosure